

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES L. BENNETT,

Defendant.

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CASE NO. 8:05CR426

ORDER

This matter is before the Court on the Defendant's pro se motion (Filing No. 75) brought under Federal Rule of Civil Procedure 60(b) to vacate or set aside this Court's Judgment denying relief under 18 U.S.C. § 3582 (regarding the amended crack cocaine sentencing guidelines).

This Court's decision that the amended crack cocaine guidelines do not apply to the Defendant's case due to his career offender status was summarily affirmed by the Eighth Circuit Court of Appeals. (Filing No. 69.)

IT IS ORDERED:

1. The Defendant's motion (Filing No. 75) to vacate or set aside this Court's Judgment denying relief under 18 U.S.C. § 3582 is denied; and
2. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 6th day of July, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge